

United States District Court

for

District of New Jersey

**Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender**

(Probation Form 49, Waiver of Hearing is Attached)

Name of Offender: Richard Devivo

Cr.: 06-0364- 01
PACTS Number: 40598

Name of Sentencing Judicial Officer: Honorable Joseph A. Greenaway, Jr., U.S. District Judge

Date of Original Sentence: 11/14/06

Original Offense: Conspiracy to Buy, Receive, and Possess Stolen Goods (2 counts)

Original Sentence: Fifteen months imprisonment; three years supervised release; \$6,203,541.00 restitution; \$200 special assessment. Special Conditions: 1) full financial disclosure; 2) do not incur any new credit charges or open additional lines of credit without prior approval; 3) evaluation and participation in a mental health program as directed by this office; 4) DNA collection.

Type of Supervision: Term of Supervised Release

Date Supervision Commenced: 02/12/08

PETITIONING THE COURT

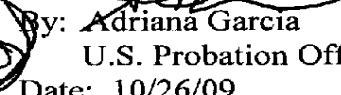
- ☐ To extend the term of supervision for Years, for a total term of Years.
☒ To modify the conditions of supervision as follows. The addition of the following special condition(s):

The defendant shall make restitution in the amount of \$5,978,341.56 (balance). Restitution payments shall be paid in monthly installments of no less than \$50.

CAUSE

The offender is unable to pay the restitution as directed. After careful review of the offender's current monthly cash flow, the offender displays an ability to make payments of \$50 monthly towards the restitution obligation.

Respectfully submitted,

By:  Adriana Garcia
U.S. Probation Officer
Date: 10/26/09

THE COURT ORDERS:

- ☒ The Modification of Conditions as Noted Above
☐ The Extension of Supervision as Noted Above
☐ No Action
☐ Other


Signature of Judicial Officer

11-13-09
Date